



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during June 2010
DISTRIBUTED: July 20, 2010

This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or peter.j.carney@maine.gov for additional information regarding the activities listed in this report. The full text of most Administrative Consent Agreements is available on the Board of Environmental Protection's website at <http://www.maine.gov/dep/bep/agenda.htm>.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

Administrative Consent Agreements Approved by the Board of Environmental Protection and Office of the Attorney General (party followed by location):

Hazardous Waste:

Environ Services, Inc., Gorham, Maine. Environ Services, Inc. ("Environ") violated provisions of the Department's rule concerning *Identification of Hazardous Wastes* by: failing to store universal waste in containers; failing to store universal waste in containers that were closed and structurally sound; failing to pack universal waste lamps in containers with packing materials adequate to prevent breakage; failing to pack CRTs in containers or another acceptable method to prevent breakage; failing to store universal waste containers and boxes with adequate aisle space to be able to inspect the containers; failing to limit stacking of boxes of lamps to five feet in height; failing to limit stacking of containers or boxes of CRTs to five feet in height; failing to mark containers with the date that universal waste was received at the facility; failing to mark containers of waste lamps with the type of universal waste stored inside; failing to ship universal waste within 365 days of arrival at the facility; failing to submit to the Department quarterly universal waste reports; failing to maintain copies of Uniform Bills of Lading (UBOLs); failing to provide a tracking number used to ship universal waste from the consolidator on Certificates of Recycling; failing to maintain an inventory system on-site that identifies the date and manifest (or UBOL) number for each universal waste container or group of containers that is received at the facility and the date and manifest (or UBOL) number for each waste container or group of containers that is shipped from the facility. Following Department involvement, Environ submitted a written response to the Department indicating corrective actions undertaken. To resolve the violations, Environ will pay \$5,650 as a civil monetary penalty pursuant to an agreed-upon payment plan.

Water:

Maine Department of Inland Fisheries and Wildlife; Augusta, Casco, Embden, Enfield, Grand Lake Stream Plantation, Gray, New Gloucester, Palermo, and Phillips, Maine. The Maine Department of Inland Fisheries and Wildlife ("IF&W") violated provisions of Maine's *Protection and Improvement of Waters* laws and the conditions of waste discharge licenses issued pursuant to Maine's *Protection and Improvement of Waters* laws for wastewater discharges at hatchery and/or rearing facilities operated by IF&W. Violations occurred at the following IF&W facilities: Governor Hill Hatchery and Rearing Station in Augusta; Wade State Fish Hatchery in Casco; Ela Rearing Station in Embden; Cobb State Fish Hatchery in Enfield; Grand Lake Stream State Hatchery in Grand Lake Stream Plantation; Dry Mills Fish Hatchery in Gray; New Gloucester Fish Hatchery in New Gloucester; Palermo Rearing Station in Palermo; and Phillips Fish Hatchery in Phillips. Collectively, the violations included: failure to meet license limits for biochemical oxygen demand, total suspended solids, total phosphorous, dissolved oxygen, formalin, and flow; failure to conduct testing, failing to conduct sampling and testing in accordance with license requirements, and conducting sampling without proper equipment; causing water quality of receiving waters to fall below the standards of its classification; failure to timely submit monitoring plans and operation and maintenance plans; failure to provide for treatment of wastewater as required by license conditions; failure to maximize the



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removal of pollutants and maintain treatment equipment in good working order; bypassing wastewater to receiving waters without treatment; failure to report non-compliance in accordance with license requirements; discharge of wastewater not identified in a license; and failure to timely submit monthly discharge monitoring reports. Following Department involvement, IF&W completed corrective actions including: purchasing equipment necessary to make measurements in conformance with standard methods; installing new filter screens for wastewater treatment; conducting site visits with Department of Environmental Protection staff, IF&W staff, and IF&W consultants to evaluate needed improvements; and submitting plans for facility improvements. To resolve the violations, IF&W agreed to: cease the unlicensed discharge of pollutants to waters of the state; operate and maintain all equipment at the subject IF&W facilities to maximize removal of pollutants and maintain all treatment equipment in good working order; remove an unauthorized grey waste discharge at the IF&W Embden facility; submit conceptual and financial plans for upgrading wastewater treatment at the IF&W New Gloucester facility; repair or rebuild a bypass gate at the IF&W Palermo facility to eliminate the leakage of wastewater; install additional solids handling facilities at the IF&W Augusta facility and commence a sampling program to monitor the performance of the revised treatment system; install new wastewater piping to capture raceway cleaning and hatchery wastewater flows at the IF&W Grand Lake Stream facility; install equipment to improve solids handling and removal from the clarifiers at the IF&W Palermo facility; and make changes to wastewater piping at the IF&W Enfield facility necessary to combine wastewater flows into one treatment facility and one outfall. In addition, IF&W agreed to pay \$35,960 as a civil monetary penalty, the full amount of which is suspended and permanently waived provided that IF&W complies with specified provisions of the Agreement within scheduled dates.